App I IX 4

1938
(Rul)

Rul File No. 70·38
Serial Nos. 184, 142

Previous References
Rul 12-38 SC, 146
Rul 130 36 SC 142

Letter Ref. Nos
Rul 63-41 No 182, 13 Sept 41

GENERAL AND REVENUE SECRETARIAT. :

Serial Nos two

Part B for June 1939

SUBJECT
Delegation of Powers of the Davangere Town Rul Cl. to the President.

SC 142) To the D C. Chitaldrug Dt
No L 10514 3 30-6 39

WD 0806—GPB—22,500/—12-8-37

Requests him to obtain & forward proposals for the nomination of Rule-makers under Sec 40 (4)(1) of the Town Municipalities Act

MD 11/7/39

G. R. S. APP F III—1]

GENERAL AND REVENUE SECRETARIAT

([illegible])

NOTES

File No 70-38

FILE HEADING

Rules & bye laws

FROM

The dy Comr, Chittagong

No dy C 487/26.39 Dated 12.6.39 Received 13.6.39

Diary No 625	Enclos.	Spare copies	Serial No. 134

BRIEF ABSTRACT OF LETTER

Forwards for sanction a list of delegation of powers to be proposed by the Chittagong Town Pol Cy

NOTES AND ORDERS

1) The revised rules as called for in this office letter no. dt 6.5.39 / Pol 130-26-2 dt 4.7/39 have been forwarded

2) The list now sent for sanction is stated to have been framed under Sect 35 of the T P Act. This cannot perhaps be approved unless the rules determining the delegation of powers and duties are sanctioned under para 11 of the rules in Hilfols Book No 1-2 placed below. Submitted for orders

NOTES—First Sheet

26.6.39

WD 0282—GTD—8,750—25-1-38

Cb 31

Rules for delegation of powers under Section 46(6)(x) of T-M Act

File No ML 90 of 1938

General and Revenue Secretariat

3) We feel it may perhaps be convenient to frame Rules under Section 46(6)(x) of the T-M Act on the lines of the approved Rules of Chittagong Town Committee. A copy of the latter is also suggested for consideration.

May be approved.

26/6/38

Law Deptt.

27/6

To

The Secretary to Govt of Bengal in the Local Self Govt Department.

Request to frame Rules on the lines of the approvedones of Chittagong Town Committee.

368
27/6

Secretariat 1938 Deptt.

663/

Tel. Address:—DEPCOM, Chitaldrug.

In reply, please refer
No A6.C.487/36-37
Encls. File

OFFICE OF THE DEPUTY COMMISSIONER,
CHITALDRUG DISTRICT

Dated Chitaldrug, 12th June 1937

ml 70-35—134

From

M NAVANEETHAM NAIDU, Esq, B.A., B.L.,
Deputy Commissioner,
Chitaldrug District.

To

P.H Krishna Rao, Esq., M.A.,
Secretary to Government,
Local Self-Government Department,
Bangalore.

Sir,

Subject:— Delegation of powers.

With reference to your letter No.L.678/Ml.130-36-2 dated 16th July 1937 observing that the rules proposed by the Davangere Town Municipal Council, regarding delegation of powers to the Municipal President, were very general in their character, and required to be revised, and that the rules to be framed have to determine what powers and duties may be given to what officers etc., I have the honour to state that instructions were accordingly issued to the President, Town Municipal Council, Davangere in the matter

The President forwards a list of delegation of powers framed under Section 35 of the Town Municipalities Act 1933 and requests that sanction of Government might be obtained therefor. (Vide copy of his letter No.G.C.245/36-37 dated 1st September 1936 and the list of delegation of powers are enclosed herein for kind reference.)

Regarding the delegation of powers to the Municipal President to sanction prosecutions for Municipal Offences, the President states that in view of the decision of the High Court of Mysore, published in their Report No.Vol XLIII part VI, deciding that any rate payer of the Town is competent to lodge a prosecution against the infringement of Municipal Bye-

P.T.O.

Bye-laws, the question of any special delegation of powers of prosecution to the President no longer arises.

In the circumstances I request that sanction of Government may kindly be obtained to the list of delegation of powers framed under Section 35 of the Town Municipalities Act

I have the honour to be
Sir,
Your most obedient servant,

Deputy Commissi
Chitald rict'

Letter No.C.C.245/36-37 dated 1st September 1938 from the President, Town Municipal Council, Davangere, to the Deputy Commissioner, Chitaldrug District.

Subject:- Delegation of powers

With reference to your demi-official letter No.A6.C.487/36-37 dated 16-8-1938 re: the above subject, I have the honour to request you kindly to obtain sanction to the list of delegation of powers framed under section 35 of the Town Municipalities Act of 1933 submitted with this office No.C.C.245/36-37 dated 2-3-38.

In view of the decision of the High Court of Mysore published in their report No.Vol.XLIII Part VI deciding that any rate payer of the Town is competent to lodge a prosecution against the infringement of Municipal bye-laws, the question of delegation of powers of prosecution to the President is no longer necessary.

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"C O P Y"

Deputy Commissioner,
Chitaldrug District.

[F G—1]

JT .....

Section Ml
File No. 70-38
Serial No. 142

No. of letter replied to .....

No. L 10514

To

The Deputy Commissioner, Chitradurga

General and Revenue Secretariat

( )

the 1938

Sir,

Proposal of the Davangere Town Municipal Council for delegation certain of the powers and duties of the Municipal Council

With reference to your letter No. A6 C 487/38-39 dated 12-6-39 on the above subject, I am directed to state that the Davangere Town Municipal Council may be requested to frame Rules under Section 46(b)(ii) of the Town Municipalities Act, 1933 on the lines of the Rules of the Chikmagalur Town Municipal Council approved in Govt. No. L 61/35/MI dated 28-3-36 dated 1-2-39 (copy enclosed for reference) and forwarded the same for approval of Government after observing all the prescribed formalities in this behalf.

The Records & Company

Date of issue ... 30-6-39

Signed by ...

Last of enclosures. ...

Copied by ...

Examined by ...

WD 0563—GPB—30,000—6-1-39

2-26/6/-. for Secretary

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat

No. L 10514 / Rev 70-38-142

Dated, Bangalore, 30 ~~28th~~ June 1939.

From

The Secretary to the Government of His Highness the Maharaja of Mysore, Law Department.

To

The Deputy Commissioner,
Chitaldrug District.

Sir,

Proposal of the Davangere Town Municipal Council to delegate certain of its powers and duties to its President, etc.

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With reference to correspondence ending with your letter No.A.6.C.487/36-37 dated 12th June 1939 on the above subject, I am directed to state that the Davangere Town Municipal Council may be requested to frame rules under Section 46(b)(i) of the Town Municipalities Act, 1933 on the lines of the rules of the Chikmagalur Town Municipality approved in Government Order No.L.6185/M1.98-38-6 dated 1st February 1939 (copy enclosed for reference) and to submit the same for the approval of Government (through you) after observing all the prescribed formalities in this behalf.

The records accompany.

I have the honour to be,

Sir,

Your most obedient servant,

29/6/-

for Secretary to Government,
Law Department.

S.